

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

KAIFI LLC,

Plaintiff,

v.

T-MOBILE US, INC., and T-MOBILE
USA, INC.,*Defendants.*§
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§**CIVIL ACTION NO. 2:20-CV-00281-JRG**

**MINUTES FOR INITIAL PRETRIAL CONFERENCE DAY 3
HELD BEFORE U.S. DISTRICT JUDGE RODNEY GILSTRAP
November 22, 2021**

OPEN: 09:44 AM**ADJOURN: 11:44 AM**

ATTORNEYS FOR PLAINTIFF:

See attached

ATTORNEYS FOR DEFENDANTS:

See attached

LAW CLERKS:

Tom Derbish
Cason Cole
Cody Carter

COURT REPORTER:

Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY:

Andrea Brunson, CP

TIME	MINUTES
09:44 AM	Court opened.
09:45 AM	Court proceeded with Day 3 of pretrial.
09:45 AM	Court called for announcements from counsel.
09:46 AM	Today's pretrial covered disputes re: exhibits to be pre-admitted. First, Court took up previously carried Dkt. No. 232. Follow-up letter briefing was received by the Court re: Dkt. No. 232. Court made inquiry with Plaintiff and requested additional clarification. Mr. Sheasby for the Plaintiff provided response thereto. Court will continue to review Dkt. No. 232 and guidance will be forthcoming.
09:49 AM	Court addressed previously carried Plaintiff MIL #14. Additional briefing was received by the Court. Court's ruling: GRANTED re: Salberg reference with additional explanation as set forth in the record.
09:55 AM	Court heard the following arguments re: objections to exhibits. Court recognized parties' meet and confer efforts re: disputed exhibits.
09:56 AM	PX Group 1: Argument presented.

10:06 AM	Court: Pre-admitted and overruled Defendants' objection with additional instructions as set forth in the record.
10:07 AM	PX Group 2: Argument presented.
10:11 AM	Court: Sustained Defendants' objection and excluded PX Group 2.
10:12 AM	PX Group 3 – Disputes resolved and objections withdrawn by Defendants. Court pre-admitted.
10:12 AM	PX Group 4: Argument presented.
10:13 AM	Court: Pre-admitted.
10:13 AM	PX Group 5: Argument presented.
10:19 AM	Court: Pre-admitted that portion identified in the record re: representative exhibit PX1201. Court excluded remaining documents.
10:21 AM	DX Group 3: Argument presented.
10:33 AM	Court: Pre-admitted DX 660 and DX 799. Court sustained Plaintiff's objection to the remainder of the exhibits in DX Group 3.
10:35 AM	DX Group 4: Argument presented.
10:38 AM	Court: Sustained Plaintiff's objection and excluded DX Group 4 as pre-admitted exhibits and provided additional instruction.
10:39 AM	DX Group 6: All exhibits withdrawn except DX 295. Court pre-admitted DX 295.
10:40 AM	DX Group 11: Argument presented.
10:47 AM	Court: Did not pre-admit as exhibits.
10:48 AM	DX Group 18: Disputes resolved and objections withdrawn by Plaintiff.
10:48 AM	DX Group 19: Argument presented.
10:52 AM	Court: Pre-admitted DX 95, DX 820 and DX 821. Court excluded DX 824.
10:53 AM	DX Groups 20, 23, 24 and 25: Argument presented.
11:00 AM	Court: Excluded all exhibits in DX Groups 20, 23, 24 and 25 and provided instructions as set forth in the record.
11:05 AM	PX Group 3: Notwithstanding parties' previous agreement, PX Group 3 to be used as demonstratives only and not pre-admitted.
11:06 AM	DX Group 26: Exhibits withdrawn by Defendants.
11:07 AM	DX Group 27: Exhibits withdrawn by Defendants.
11:07 AM	Additional matters brought to the attention of the Court by the parties.
11:16 AM	Court made inquiry with counsel re: the use of an interpreter during presentment of live testimony of any witness.
11:19 AM	Court instructed the parties to file a notice re: use of an interpreter.
11:25 AM	Court addressed the recently filed motions for leave to supplement expert reports, <i>i.e.</i> , Ms. Davis, Mr. Conte and Mr. Kennedy. Court ordered each side to file letter briefs not more than six (6) pages by noon on Monday, November 29, 2021. Thereafter, Court will review and issue rulings. The motion re: Mr. Proctor will not be included.
11:33 AM	Court instructed Plaintiff to advise Defendants by noon on Monday, November 29 re: live witness list. Court instructed Defendants to advise Plaintiff by noon on Tuesday, November 30 re: live witness list.
11:39 AM	Court instructed parties to meet and confer and submit a finalized list of pre-admitted exhibits in advance of trial to the Courtroom Deputy.
11:44 AM	Pretrial process concluded.
11:44 AM	Court adjourned.